

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

PARSI SUIT NO.3 OF 2019

Urvaksh Firoz Bilimoria)....Plaintiff no.1

And

Ashish Freddy Turel)....Plaintiff no.2

Ms.Devayani S.Bhave I/by Bhave and Co. for plaintiffs.
[Plaintiff no.1 & plaintiff no.2 present].

CORAM : K.R.SHRIRAM,J

DATE : 6.3.2019

P.C.:-

Name : Urvaksh Firoz Billimoria (Plaintiff No.1)
Age : 37 years
Occ. : Self employed
Address : 1st floor, Wilson Building, Gokuldas Pasta Road, Next to
Chtra Cinema, Dadar (East), Mumbai-400 014.

Examination-in-chief of plaintiff no.1 : By Ms.Devayani Bhave I/by
Bhave and Co.

1. I say that I have sworn an affidavit dated 25.2.2019 and
identify my signature.

PC

The same is taken on record and marked **Exh.P1.**

No Cross-Examination

Examination in chief of plaintiff no.2 : By Ms.Devayani Bhav

Name : Ashish Freddy Turel
Age : 33 years
Occ. : Service
Address : 629, B/10, 4th floor, N.J.Wadia Society, Ardeshir
Homavazir Road, Dadar Parsi Colony, Mumbai-400 014.

I say that I have sworn an affidavit by way of evidence on 25.2.2019
and identify my signature.

PC

The same is taken on record and marked **Exh.P-2.**

No : cross-examination.

2. This is a suit for divorce by mutual consent under section 32 B of Parsi Marriage and Divorce Act 1936. The 1st plaintiff is the husband and 2nd plaintiff is the wife. They were married on 28.2.2013 at Mumbai according to Parsi Zoroastrian rites and customs and this was the first marriage for both of them. There are no issues out of this marriage. After marriage, both lived as husband and wife at 1st floor, Wilson Building, Gokuldas Pasta Road, Next to Chitra Cinema, Dadar, Mumbai-400 014. Though their marriage was normal in the beginning, but over time, they realized that they were incompatible and irrevocable differences were cropped in between the parties. They

realized that it was difficult for them to lead harmonious life together. Due to serious differences, the atmosphere in the house was always tense and they started living away from each other. In spite of their best efforts and intention of family members and friends, the differences are irreversible.

3. Due to differences, plaintiff no.2 moved out of the residence of plaintiff no.1 which is the matrimonial home on 12.6.2017 and returned to her parental home at 629, B/10, 4th floor, N.J.Wadia Society, Ardeshir Homavazir Road, Dadar Parsi Colony, Dadar (East) Mumbai-400 014. They have been since living separately. Plaintiffs have also entered into consent terms dated 7.2.2019, copy whereof is annexed at Exh.B to the plaint. It is stated in the consent terms that all their personal belongings, gifts, jewellery, articles etc. have been exchanged and no exchange of any articles is pending between them. It is also stated that both have no claim on each others' property, movable or immovable. Plaintiffs also undertake that they will sign all necessary forms/documents to get their name deleted from any bank account where their name stand 2nd without claiming any lien, title or interest. Undertaking accepted. Both have also stated that they will have no further claim of any nature whatsoever on the assets of the other. These statements are also accepted as

undertakings to this court.

4. I do not find any impediment to the grant of relief. Therefore, the marriage of the parties is dissolved by mutual consent. The suit is decreed in terms of prayer clauses-(a) and (b).

5. Decree be drawn up expeditiously.

6. All concerned to act on a copy of this order authenticated by the Associate of the Court.

(K.R.SHRIRAM,J)